* ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 93-455-A

Morris Armstrong, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Morris and Rodella Anne Armstrong for that property known as 2411 Poplar Road in the Cedar Beach subdivision of Baltimore County. The Petitioners herein seek a variance from Sections 1A04.3 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a principal residence to remain 6 ft. from the side property line and 25 ft. from the rear line, in lieu of the required 50 ft., and to build a detached accessory structure (garage) in the front yard, in lieu of the rear yard, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and is subject to compliance with the recommendations to be made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.), upon completion of their findings. The relief granted herein shall be conditioned upon Petitioner's compliance with said findings.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore ance from Sections 1A04.3 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a principal residence to remain 6 ft. from the side property line and 25 ft. from the rear line, in lieu of the required 50 ft., and to build a detached accessory structure (garage) in the front yard, in lieu of the rear yard, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

> 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

2. Compliance with the Department of Environmental Protection and Resource Management recommendations to be submitted upon completion of their review of this matter.

3. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

LES:mmn

ZONING COMMISSIONER FOR BALTIMORE COUNTY

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

July 20, 1993

Mr. and Mrs. Morris L. Armstrong 2411 Poplar Road Baltimore, Maryland 21221

> RE: Petition for Administrative Variance Case No. 93-455-A Property: 2411 Poplar Road

Dear Mr. and Mrs. Armstrong:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

LES:mmn

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 2411 Property

which is presently soned R.C.S. This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 AOH, 3 & 400 1 To Pulow Particle Toller College Tolle From the REAR PROPOSEY I'ME IN LIGHT ONE THE REQUIRED SOFT, AND TO BULLD A De spenes Accessory S-unic zune (GARAGE) IN THE FROM YAND IN LIEURE THE TE PAR (PARE) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or difficulty) We need to protect our cars from varietiem and there is more room.

GARAGE XOCATED AT SIDE OF house

2. DETACHES GARAGE

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, poeting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

State Zipcode	Address Phone No.
Phone No.	Name ONE OF ABOVE
	about
	Name, Address and phone number of representative to be dispated.
	GALTO MID 21221
rint Name)	Address Phonit No.
or Petitioner:	2411 Podas Rd 1082-6
State Zipcode	Signature 4417
	Kadella anni Comestion
	(Type or Print Name)
	Rodella Anne Hemsten
	Signature (Vrient Jeney)
tus. vanimy	the state of the s
hint Name)	Cross of Print Name)
Purchaser/Lesses	Lagal Owner(s):
	legal owner(s) of the property which is the subject of this Patition.
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the
	VWe do solemnly declars and affirm, under the penalties of perjury, that I/we are

Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of ___ that the subject matter of this petition be set for a public hearing , advertised, (circulation throughout Sattimore County, and that the property be reposted.

MEM #: 463

Affidavit in support of Administration Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2411 Pop | 92 Rol

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative GARAGE NOT AT REAR OF HOUSE BECAUSE THEREIS NO TROOM DETACHED GARGE NEEDED TO PROTECT CARLTOOM VANDALS & WEALHER

			 	
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That Affiant(s) ackn	owiedge(s) that if a protest	is filed, Affiant(s) will b	e required to pay a repostin	g and advertising fee a
may be required to pr	ovide additional information			
March 7	Change Land			
Manhal -	Annstro	7	(signature)	
met.sh	ARMSTRO			
(No or brust verse)			(type or print name)	
STATE OF MARYL	AND, COUNTY OF BALTI	MORE, to wit:	·	
I MEDITAL CERTIF	N 19 / Amor	LEUNE	, 19 <u></u> ¶3 before me, a	Notary Public of the S
- manager Consider	·, — <u> </u>			

GARAGE AT SIGNOF HOUSE IN FROM YORK

Marris L. Armstrone the Affiants(s) herein, personally known or antisfactorily identified to me as such Affiants(s), and made cath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my head and Noterial See

2411 Foplar Road Paltimore, Taryland 21221

Teginning for the same on the westernmost side of Poplar Road as laid out south 31 degrees, 46 minutes west at the distance of 380.20 feet southwest from the northeast end of said south 31 degrees, 46 minutes west line of the west side of Foplar "oad and running thence south 31 degrees, 46 minutes west 150 feet, thence north 35 degrees 15 minutes west 125 feet, thence north 31 degrees 46 minutes east 150 feet and thence south 35 degrees 15 minutes east 125 feet to the place of beginning. Being the lots in the rear of lots designated as 123-124 and the northern one-half of lot No. 125 as shown on the plat of Cedar Beach, which is recorded among the and Pecords of Baltimore County in Plat Rook No. C. W. 3. No. 12, folios 90 and 91.

TAKENLUBY JRDI Mr. : Mrs. Arms-thoug 2411 Person Ro BALT MOZIZZI BAUTIMON MO. 21771.

MEVIEWED BY: 50A DATE 6-21.93 ESTIMATED POSTING DATE 7-11-93

July 12, 1993

Mr. and Mrs. Morris L. Armstrong 2411 Poplar Rd. Baltimore, Md 21221

••.

111 West Chesapeake Avenue

Towson, MD 21204

RE: Case No. 462, Item No. 93-455-A Petitioner: Morris L. Armstrong, et ux Petition for Administrative Variance

Dear Mr. and Mrs. Armstrong:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on June 21, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Marviand Department of Transportation State Highway Administration

O. James Lighthizer Hal Kassoff

7-7-93

Ms. Helene Kehring Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: BALTO, CO. Item No.: * 462 (JRA)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

John Contestabile, Chief **Engineering Access Permits**

Very truly yours,

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

DATE: July 13, 1993

SUBJECT: 2411 Poplar Road

INFORMATION: 43.455 - A Item Number: Petitioner: Armstrong Property Property Size: Zoning:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

Requested Action:

Should the petitioner's request be granted, we recommend that the design and building materials be compatible with the dwelling. In addition, the garage shall not be converted for residential purposes.

PK/JL:lw

462 780/7801

TO Zoning Advisory Committee

Fire Department

FROM Jerry L. Pfeifer, Captain

SUBJECT July 12, 1993 - Meeting

No comments

- No comments.

Did not receive plan.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Space shall comply with the 1991 Life Safety Code.

Site shall not interfere with Baltimore County's

Building shall comply with the 1991 Life Safety Code.

800 Megahertz Radio Capability.

Date July 7, 1993

JLP/dal

cc: File

1815-94

(410) 887-3353

INTEROFFICE CORRESPONDENCE

DATE: April 5, 1994 Carl Richards Development Control Section Zoning Administration and

Development Management Office Assistant to the Director

Beltway Mobile Home Park is contained almost entirely within the one hundred year riverine floodplain. For this reason. construction of new mobile home sites should not be permitted. It is necessary, however, to relocate certain existing mobile homes to avoid encroachment onto the right-of-way for an existing 48" water main.

discuss relocation of these and perhaps other mobile home sites onto safer locations on this property.

Erecting mobile homes in the floodplain will require a waiver waiver hearing with this zoning case so both could be presented to the Zoning Commissioner at the same hearing.

Attached is a copy of the floodplain delineation from the Bureau of Engineering records.

If there are questions, please feel free to contact our office on extension 3451.

cc: J. Alexander B. Bowling J. Maple Floodplain File

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

July 23, 1993

Mr. Arnold Jablon, Director Zoning Administration and Development Management

J. Lawrence Pilson Development Coordinator, DEPRM

93-455-A 7/9 SUBJECT: Zoning Item #462 Armstrong Property, 2411 Popular Road Zoning Advisory Committee Meeting of July 6, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

- Inspection of property found evidence of sewage on ground surface in vicinity of proposed garage. This is an area which has been identified as in need of public sewer service. A public collection system is currently under construction. The approval of the garage, at this time, can only be made if the on-site septic system can be repaired.
- 2. The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Critical Area regulations. The applicant may contact the Environmental Impact Review Section at 887-3980 for details.

JLP:KK: ibm ARMSTRON/TXTSRP

Pa. 1

6528-93

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Arnold E. Jablon, Director Office of Zoning Administration

and Development Management J. James Dieter

Petition for Zoning Variance - Item 462 Armstrong Property Chesapeake Bay Critical Area Findings

DATE: July 23, 1993

SITE LOCATION

The subject property is located at 2411 Poplar Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Morris and Rodella Armstrong

APPLICANT PROPOSAL

The applicant has requested a variance from section 1A04.3 and 400.1 of the Baltimore County Zoning Regulations to permit an existing principle residence to remain 6' from the side property line and 25' from the rear line in lieu of the required 50' and to build a garage in the front yard in lieu of the rear yard.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

- 1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
- 2. Conserve fish, wildlife and plant habitat; and
- 3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts < < COMAR 14.15.10.01.0>.

Mr. Arnold E. Jablon July 23, 1993

REGULATIONS AND FINDINGS

Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Section 26-449(a)>.

<u>Finding:</u> This property is located approximately 250' from the tidal waters of Sue Creek. Therefore, no disturbance of the 100' buffer shall occur.

Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" <Baltimore County Code, Section 26-447>.

<u>Finding:</u> No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site. Therefore, no dredging, filling, or construction shall occur in any tidal or non-tidal wetland for this project, and this regulation has been met.

Regulation: "If a parcel or lot one-half acre or less in size was in residential use or zoned for residential purposes on or before December 1, 1985, then man-made impervious surfaces associated with that use are limited to 25% of the parcel or lot" <Baltimore County Code, Section 26-543(e)(1)>.

Findings: The amount of impervious areas shall not exceed 4,688 square feet or 25% of the lot. This includes all building structures, paved and crusher run driveways and parking pads, swimming pools, or any other impervious surfaces. Current impervious areas total approximately 2,742 square feet or 14% of the lot.

4. Regulation: "Infiltration of stormwater shall be maximized throughout the site, rather than directing flow to single discharge points" <Baltimore County Code, Section 26-453(h)(2)>.

<u>Finding:</u> Stormwater runoff shall be directed from impervious surfaces associated with this plan, to pervious areas, to encourage maximum infiltration. Rooftop runoff shall be directed through downspouts and into a seepage pit or drywell, to encourage maximum infiltration (see attached information). These measures will ensure that the requirements of this regulation are met.

Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland cover of at least 15%" <COMAR 14.15.02.04 C.(5)(e)>.

BALTIMORE COUNTY

David L. Thomas, P.E. Department of Public Works

SUBJECT: Beltway Mobile Home Park Case #93-445SPHA

This is to amend Zoning Advisory Committee comments previously submitted by this department for the subject project.

The applicant should be requested to contact our office to

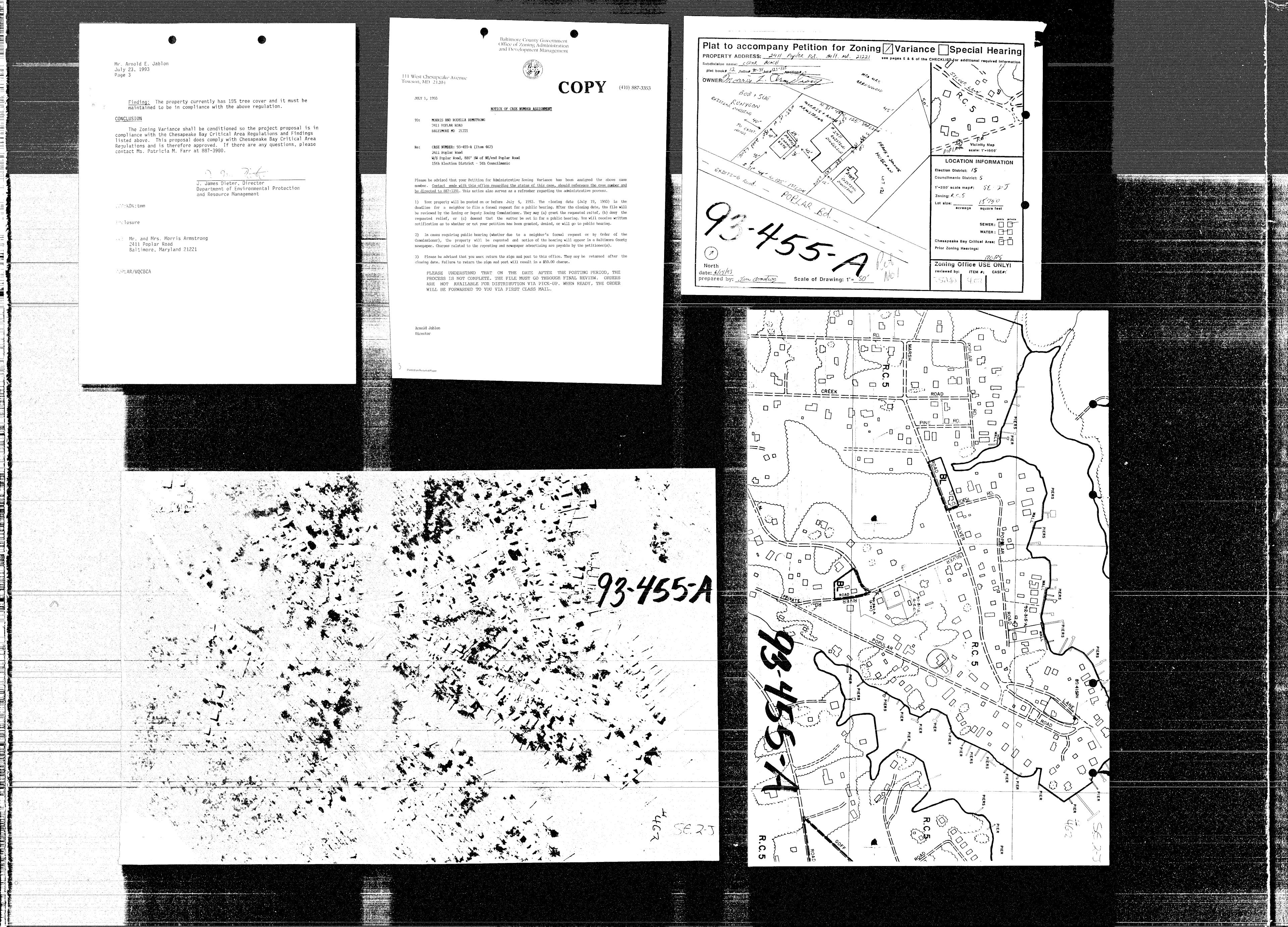
(Section 26-172, Bill 173-93). It would be appropriate to combine this

DLT:ckt

Attachment: Map

ZADM

FLOOD/DASGENC.94





to determine whether or not the Zoning Commissioner should approve

for the property located at Monumental Avenue & Hammonds Ferry Road

which is presently zoned ML-IM This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County,

an amendment to the site plan(s) and relief granted in Case Nos. 153 and 70-\$61-XA; to permit portions of existing mobile homes and open or enclosed structures accessory thereto to be located within existing road rights of way; to determine utilization of the Special Exception granted by Case No. 70-161-XA, and that the balance of the site previously approved may be utilized as approved; to approve the previous approvals and the existing residential building as valid, non-conforming uses; to permit relocation of existing and location of new mobile homes within the overall area of Special Exception; and to approve the building envelope for the existing residence, all as more specifically shown on the

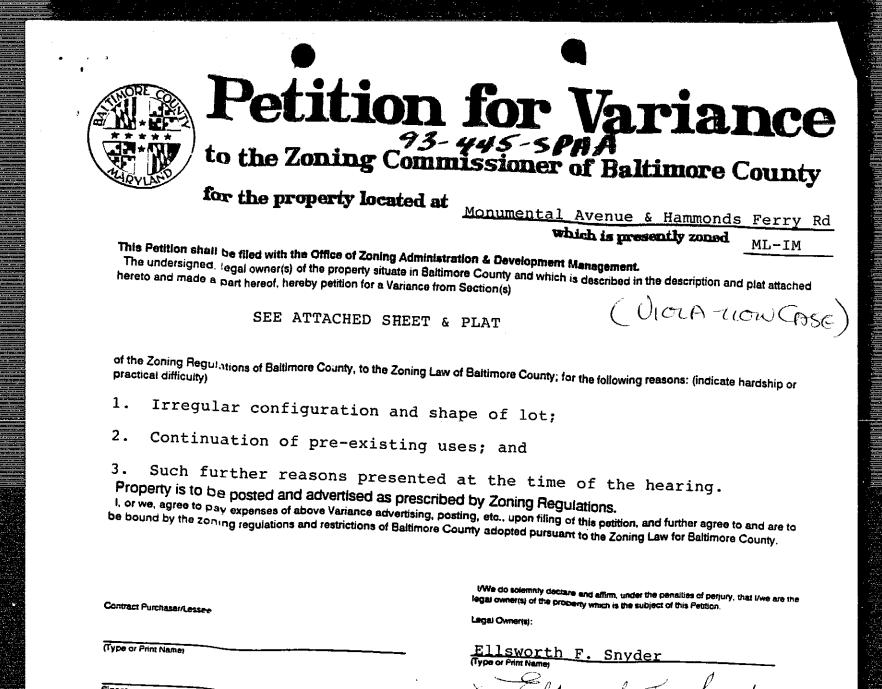
Property is to be posted and advertised as prescribed I, or we, agree to pay expenses of above Special Hearing advertising are to be bound by the zoning regulations and restrictions of Baltimor

LEVIN & GANN, P.A. 305 Vest Chesapeake Avenue Towson, Maryland 21204 Attorney's Phone No.: (410) 321-0600

accompanying Plat.

by Zoning Regulations. g, posting, etc., upon filing of the County adopted pursuant to the	is petition, and fun the Zoning Law for	ther agree to and Baltimore County.
We do scientify declare and affirm, a legal owner(t) of the property which is to Legal Owner(t):	racter the penalties of pe	Minter that then are the
Ellsworth F. Sn	yder	***
Signature Constitution	Ir. Inyd	<u>u</u>
Margaret T. Sny		
Signature Signature	· Suyd	
2710 Hammonds Fo	erry Road	247-1163
Baltimore,	MD	Phone No. 21227
City Name, Address and phone number of let to be contacted.	State gai owner, contract purc	Zipcode haser or representative
Howard L. Alderman, Jr., 1 LEVIN & GANN, P.A. 305 West Chesapeake Avenue Towson, Maryland 21204 Tel.: (410) 321-0600		150
OFFICE ESTIMATED LENGTH OF HEARING	E USE ONLY	1-5U
	able for Hearing	Next Two Months
ALLOTHER		- To monthly
HEVIEWED BY:	DATE	-14-93

ROBERT & SPELLMAN, P.L.S. JOSEPH L. LARSON JO ANN W. ROGGE



Margaret T. Snyder

Howard L. Alderman, Jr., Esquire

305 West Chesapeake Avenue, Suite !13

<u>Baltimore</u>

LEVIN & GANN, P.A.

Ouson, Maryland 21204

LEVIN & GANN, P.A.

Attorney's Phone No.: (410) 321-8600

2710 Hammonds Ferry Road 247-1163

Name, Address and phone number of legal owner, contract purchaser or representative

ATTACHMENT TO PETITION FOR ZONING VARIANCE

mental Avenue and Hammonds Ferry Road

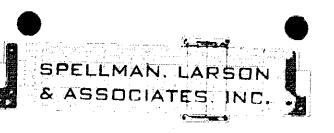
Ellsworth F. and Margaret T. Snyder

93-445-5PHA

VARIANCE REQUESTS

- From BCZR §414.3 to permit existing mobile homes to abut a driveway of less than 30 feet in width; and
- 2. From BCZR §414.4 to permit existing mobile homes to be located 0' from the road upon which the park fronts and from the boundary line of the subject property in lieu of the 100 and 75 feet respectively required; and
- From BCZR §414.5 to permit existing, previously approved mobile homes to be located less than 25 feet apart (and from the existing dwelling) as more specifically defined in Table 1 as shown on the Plat to Accompany the Petitions for Zoning Relief; and
- 4. From BCZR §§102.1 and .2 to permit the use of the subject property as previously approved; and
- For a pre-existing residential structure: (a) from BCZR §243.1 to permit a front building line of 12 feet in lieu of the 75 feet required; (b) from BCZR §§243.2 & .3 to permit side and rear yard setbacks of 8 feet each, respectively, in lieu of the 50 feet required; and
- From BCZR §243.4 to permit existing mobile homes to be located within 125 feet of the boundary line of an adjacent residential zone, all as more specifically shown on the accompanying Plat.

450



SUITE 109 - JEFFERSON BUILDING 105 W CHESAPEARE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535

DESCRIPTION FOR ZONING, BELIWAY MOBILE HOME PARK, MONUMENTAL AVENUE AND HAMMONDS FERRY ROAD, 13TH DISTRICT, BALTIMORE COUNTY MARYLAND

Beginning for the same at the corner formed by the intersection of the southeast side of Monumental Avenue and the southwest side of Hammonds Ferry Road and running thence and binding on the southwest side of Hammonds Ferry Road south 27 Degrees 04 Minutes 32 Seconds east 270.28 feet south 12 Degrees 50 Minutes 01 Seconds east 175.50 feet and south 6 Degrees 41 Minutes 00 Seconds west 33.00 feet to the north side of Hollins Ferry Road and running thence and binding on the north side of Hollins Forry Road southwesterly by a curve to the right with a radius of 72.00 feet the distance of 28.87 feet south 72 Degrees 11 Minutes 15 Seconds west 45.74 feet south 77 Degrees 45 Minutes 20 Seconds west 61.67 feet south 78 Degrees 50 Minutes 35 Seconds west 202.00 feet southwesterly by a curve to the left with a radus of 3,879.72 feet the distance of 195.00 feet to the ramp area connecting the north side of Hollins Ferry Road with the Baltimore Beltway thence leaving the north side of Hollins Ferry Road and binding on said ramp area north 19 Degrees 42 Minutes 25

> RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN . LAND SURVEYING LAND PLANNING . SUBDIVISION LAYOUT . FEASIBILITY STUDIES . ESTIMATING GRADING STUDIES . LOCATION SURVEYS . TECHNICAL CONSULTATION



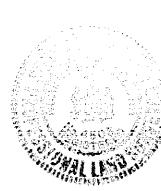
SUITE 109 - JEFFERSON BUILDING 105 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535 FAX (410) 823-5215

Seconds west 75.00 feet south 69 Degrees 10 Minutes 35 Seconds west 70.00 feet north 21 Degrees 01 Minutes 25 Seconds west 111.10 feet and northwesterly by curve to the left with a radius of 280.00 feet the distance of 256.82 feet to the southeast side of Monumental Avenue herein referred to and running thence and binding on the southeast side of Monumental Avenue north 68 Degrees 20 Minutes 35 Seconds east 450.01 feet and north 68 Degrees 20 Minutes 35 Seconds east

Containing 6.15 acres of land, more or less.

275.74 feet to the place of beginning.

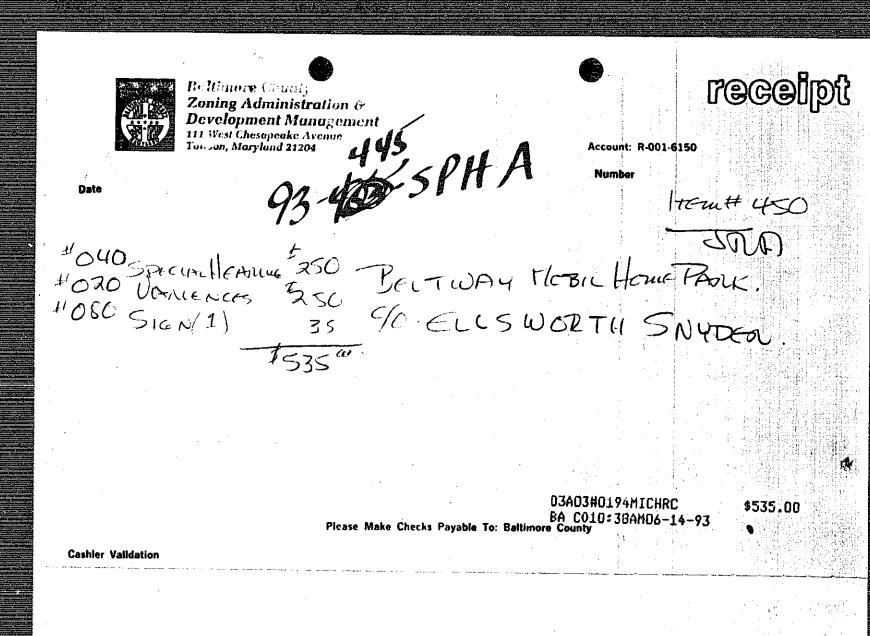
March 24, 1993



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN . LAND SURVEYING

LAND PLANNING . SUBDIVISION LAYOUT . FEASIBILITY STUDIES . ESTIMATING

GRADING STUDIES . LOCATION SURVEYS . TECHNICAL CONSULTATION



Baltimore County Government Office of Zoning Administration and Development Management

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-445-SPHA (Item 450) Corner honumental Avenue and Hammonds Ferry Road, SE/S Monamental Avenue, SW/S Hammonds Ferry Road Beltway Mobile Home Park

1st Election District - 1st Councilmanic

Petitioner(s): Ellsworth F. Snyder and Margaret T. Snyder

111 West Chesapeake Avenue

Towson, MD 21204

HEARING: MONDAY, JULY 19, 1993 at 10:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve an amendment to the site plans and relief granted in case #153 and #70-61-XA; to permit portions of existing mobile homes and open or enclosed structures accessory thereto to be located within existing road rights-of-way; to determine utilization of the special exception granted by case #70-61-XA and the balance of the site previously approved may be utilized as approved; to approve the previous approvals and the existing residentials building as valid, non-conforming uses; to permit relocation of existing and location of new mobile homes within the overall area of special exception; and to approve the building envelope for the existing residence.

Variance to permit existing mobile homes to abut a driveway of less than 30 feet in width; to permit existing mobile homes to be located zero feet from the road upon which the park fromts and from the boundary line of the subject property in lieu of the 100 and 75 feet respectively required; to permit existing, previously approved mobile homes to be located less than 25 feet apart (and from the existing dwelling) as more specifically defined in Table 1 on the plat; to permit the use of the subject property as previously approved; to permit a front building line of 12 feet in lieu of the 75 feet required and to permit side and rear yard setbacks of 8 feet each, respectively, in lieu of the 50 feet required for a pre-existing residential structure; and to permit existing mobile homes to be located within 125 feet of the boundary line of an adjacent residential zone.

cc: Ellsworth & Margaret Snyder/2710 Hammonds Ferry Road/Baltimore MD 21227 Howard L. Alderman, Jr., Esq./305 W Chesapeake Ave/#113/Towson MD 21204 Theresa Lowry/2517 Hammonds Ferry Road/Baltimore, MD 21227

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

TO: PUTUXENT PUBLISHING COMPANY July 1, 1993 Issue - Jeffersonian

Please foward billing to: Ellsworth and Margaret Snyder 2710 Hammonds Ferry Road Baltimore, Maryland 21227

(410) 247-1163

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

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HEARING: MONDAY, JULY 19, 1993 at 10:00 a.m. in Rm. 118, 01d Courthouse.

Special Hearing to approve an amendment to the site plans and relief granted in case #153 and #70-61-XA; to permit portions of existing mobile homes and open or enclosed structures accessory thereto to be located within existing road rights-of-way; to determine utilization of the special exception granted by case #70-61-XA and the balance of the site previously approved may be utilized as approved; to approve the previous approvals and the existing residentials building as valid, non-conforming uses; to permit relocation of existing and location of new mobile homes within the overall area of special exception; and to approve the building envelope for the existing residence.

Variance to permit existing mobile homes to abut a driveway of less than 30 feet in width; to permit existing mobile homes to be located zero feet from the road upon which the park fromts and from the boundary line of the subject property in lieu of the 100 and 75 feet respectively required; to permit existing, previously approved mobile homes to be located less than 25 feet apart (and from the existing dwelling) as more specifically defined in Table 1 on the plat; to permit the use of the subject property as previously approved; to permit a front building line of 12 feet in lieu of the 75 feet required and to permit side and rear yard setbacks of 8 feet each, respectively, in lieu of the 50 feet required for a pre-existing residential structure; and to permit existing mobile homes to be located within 125 feet of the boundary line of an adjacent residential zone.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMPRODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

July 14, 1993

Howard L. Alderman, Esquire Levin & Gann, P.A. 305 West Chesapeake Avenue Towson, MD 21204

> RE: Case No. 93-445-SPHA, Item No. 450 Petitioner: Ellsworth F. Snyder, et ux Petition for Special Hearing and Variance

Dear Mr. Alderman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on June, 14, 1993 and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Zoning Plans Advisory Committee Comments Date: July 15, 1993

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Helene Kehring in the Zoning Office at 887-3391 or the commenting agency.

> W. Carl Richards, Jr. Zoning Coordinator

WCR:hek **Enclosures**

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: July 2, 1993 Zoning Administration and Development Management FROM: Robert W. Bowling, P.E., Senior Engineer

Development Plan Review RE: Zoning Advisory Committee Meeting for July 6, 1993

Item No. 450

The Development Plan Review Division has reviewed the subject zoning item. Trailers and sheds must be removed from inside the SRC Stream Easement, so that future maintenance of the 48 inch water and 15-inch sanitary sewer can be accomplished.

The area covered by Grading Permit #151784 should be made subject to the Landscape Manual. We also recommend that existing trailer locations be made subject to the Landscape Manual.

KMR:s

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

DATE: July 1, 1993

SUBJECT: BELTWAY MOBILE HOME PARK

INFORMATION:

Item Number:

Petitioner: Snyder Property Property Size:

SUMMARY OF RECOMMENDATIONS:

Staff offers the following comment in reference to the subject request:

- Should the 1969 Special Exception for the mobile home park be declared valid, all new and relocated mobile homes should conform to all applicable setback and separation requirements of the Baltimore County Zoning Regulations.

- There should be no tree removal along the eastern property line.

- A Class A landscaped buffer should be planted along Hollins Ferry Road, between trailer #27 and the Baltimore County utility easement.

- Floodplain locations should be established and indicated on the plat accompanying this request.

450.2AC/2AC1

6522-93 7/26/99 BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

DATE: June 28, 1993 TO: Zoning Advisory Committee

Captain Jerry Pfeifer 1 SUBJECT: July 06, 1993 Meeting

93-445. No Comments

No Comments No Comments

No Comments No Comments

No Comments No Comments

#458 No Comments Building shall be in compliance with 1991 Life Safety Code

No Comments

ZONING COMMISSIONER

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER AND VARIANCE Corner Monumental Ave. and OF BALTIMORE COUNTY Hammonds Ferry Rd., SE/S Monumental Ave., SW/S Hammonds : Case No. 93-445-SPHA Ferry Rd. (Beltway Mobile Home Park), 1st Election District lst Councilmanic District SNYDER, ELLSWORTH F., ET UX, Petitioners ::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> People's Counsel for Baltimore County Carole S. Demilio Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue

I HEREBY CERTIFY that on this 13th day of July , 1993, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman,

(410) 887-2188

Jr., Esquire, Levin & Gann, P.A., 305 W. Chesapeake Ave., Suite 113, Towson, MD 21204, Attorney for Petitioners.

Towson, Maryland 21204

ZADM

BALTIMORE COUNTY

1815-94

INTEROFFICE CORRESPONDENCE

DATE: April 5, 1994 Carl Richards Development Control Section Zoning Administration and Development Management Office

David L. Thomas, P.E. Assistant to the Director Department of Public Works

SUBJECT: Beltway Mobile Home Park Case #93-445SPHA

This is to amend Zoning Advisory Committee comments previously submitted by this department for the subject project.

Beltway Mobile Home Park is contained almost entirely within the one hundred year riverine floodplain. For this reason, construction of new mobile home sites should not be permitted. It is necessary, however, to relocate certain existing mobile homes to avoid encroachment onto the right-of-way for an existing 48" water main.

The applicant should be requested to contact our office to discuss relocation of these and perhaps other mobile home sites onto safer locations on this property.

Erecting mobile homes in the floodplain will require a waiver (Section 26-172, Bill 173-93). It would be appropriate to combine this waiver hearing with this zoning case so both could be presented to the Zoning Commissioner at the same hearing.

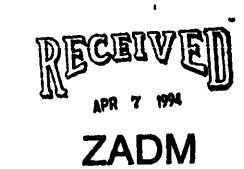
Attached is a copy of the floodplain delineation from the Bureau of Engineering records.

If there are questions, please feel free to contact our office on extension 3451.

DLT:ckt

Attachment: Map cc: J. Alexander

B. Bowling J. Maple



FLOOD/DASGENC.94

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Stephen G. Samuel Moxley, DATE: May 15, 1995 Councilman, 1st District

Planner II

SUBJECT: Beltway Mobile Home Park

A violation Citation regarding the above was issued December 17, 1992. The nature of violation was failure to obtain zoning approval through public hearing process permitting the amendment of a trailer park which was previously granted a special exception (case no. 70-61-XA) in 1969.

The owners paid the violation fine of \$200.00 on January 7, 1993. No injunction was filed by the county pending the outcome of zoning case 93-445-SPHA for a special hearing and variances filed April 14, 1993.

The review by county agencies determined the site to be expanded is in the 100 year flood plain and may not be used. John Maple from the Department of Public Works, Storm Drains Division, reviewed the project with Joe Larson of Spellman, Larson & Associates, the owner's engineer, and explained the situation. The Department of Environmental Protection and Resource Management (DEPRM) also had concerns relating to the flooding issues (comments enclosed).

The attorney, Howard Alderman of Levin & Gann, who originally filed for the required zoning hearings has currently withdrawn from the case.

JLA/alm

Enclosures

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

July 22, 1993

Mr. Arnold Jablon, Director Zoning Administration and Development Management

J. Lawrence Pilson Development Coordinator, DEPRM

93-445-SPHA Zoning Item #450 Beltway Mobile Home Park Monumental Avenue & Hammonds Ferry Road Zoning Advisory Committee Meeting of June 28, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

- 1. Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.
- 2. This site must comply with the Forest Conservation Act, which requires a Forest Stand Delineation, a Forest Conservation Plan and a completed Forest Conservation Worksheet.
- This site is bordered on the east by an Order II, Use I tributary of the Patapsco River. According to Article IX, (Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains), a Forest Buffer Easement or Reservation must extend seventy-five (75) feet from the centerline of the stream, twenty-five (25) feet from the outer wetland boundary or twenty-five (25) feet from the one-hundred (100) year floodplain. A thirty (30)-foot building setback is required from the forest

BELTWAY/TXTSBP



EGEOVE

- 9 1**99**3

ELLIS LEVIN (1893-1960)



BALTO CNTY MOBILE · MFD HOMEOWNERS C/O SANDY DAWSON PO BOX 5074 BALTO MD 21220

Zoning Administration & Development Management

93-445-SPHA

INTER-OFFICE CORRESPONDENCE

On June 14, 1993 Howard L. Alderman, Jr., Esquire filed the

Enclosed are copies of the special hearing and variance

This office will keep you informed of the time and date of this

appropriate public hearing petitions pertaining to Beltway Mobile Home

DATE: June 17, 1993

George Abendschoen

FROM: James H. Thompson

Executive Assistant

13th Election District

Zoning Enforcement Coordinator

Case No.: 93-185 (C-93-1223)

Location: 2341 Monumental Avenue

petitions that deal with the subject property.

Kevin R. Connor, Zoning Inspector

Gwen Stephens ✓

matter, which is of major importance to the community.

c: Berchie L. Manley, Councilwoman 1st District
Theresa Lowry 2517 Hammonds Ferry Rd, 21227

Beltway Mobile Home Park

Baltimore County Office of Zoning Administration and Development Management 111 West Chesapeake Aven Towson, Maryland 21204 111 West Chesapeake Avenue

> ROSE SILVERIL 16 CARLING CIRCLE BALTO MD 21227

Baltimore County Office of Zoning Administration and Development Management 111 West Chesapeake Avenue Towson, Maryland 21204

> MARIE SCHULTHEIS 18 CARLING CIRCLE BALTO MD 21227

1/15/93 Howard stopped by, he enformed me that a meeting between the garties would be held to diskuss matter. 8/2/93 Called Howard - Meeting inih Petitioner, Thereis Lowry, Country Arbitrator, OPZ and others held at on Friday 1/30/93. Changes in the plan discussed and new drawings will be presented in Two weeks to

Re: 93.445-5PHA Bellway Mobile Porke

4-28-95 - CLIEN WAS PROFESING ADDITIONAL TAPLETS Some WA Troop PriA - (HTG-NON94.) Howard HAS NOT BEEN PAID OR LA CONTACT SCE LANSON IS ENGINEER WETLANDS/ FLOOD ANON BY DEPRY Sec CANSON \$23-3535 ALLANS TOOYATIOOD PLANS FROMS. - John MAPLE 3711

Mike Moon Exited - Seo. Con-cor. 3326 STEDE STUART 2904 RECORDING STREAM LAMY PICSONIL

Baltimore County Office of Zoning Administration and Development Management I11 West Chesapeake Avenue Fowson, Maryland 21204

> FRED and KAREN MONTORO 49 CARLING CIRCLE BALTO MD 21227

Baltimore County Office of Zoning Administration and Development Management 11 West Chesapeake Avenue Towson, Maryland 21204

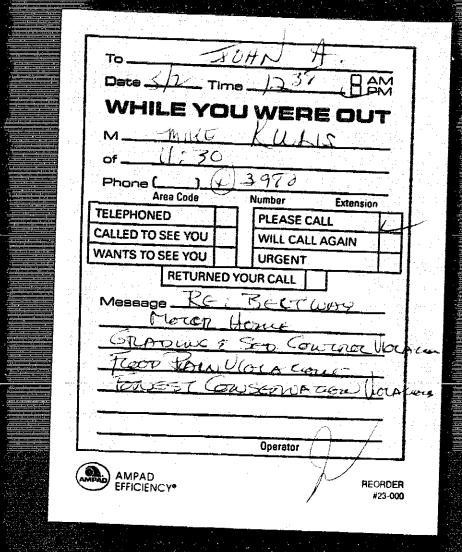
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DANA ASHLEY 44 CARLING CIRCLE BALTO MD 21227

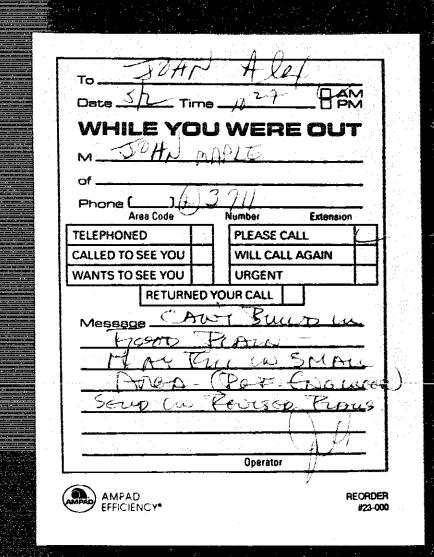
Baltimore County Office of Zoning Administration and Development Management 111 West Chesapeake Avenue

> WAYNE WARD 45 CARLING CIRCLE BALTO MD 21227



45 Carling Circle

BALTO MB 21227



BALTO. CNTY MORTLE & MED HOMEOUNERS INC. 0/0 SANDY DAWSON BALTO, MD. 2/220 49 Carling Circle Balk 27d. 21227 Sodi Marky-Dana achley 44 Costing Cicl

HAND DELIVERED

MERCANTILE BANK & TRUST BUILDING

BALTIMORE, MARYLAND 21201

TELECOPIER 410-625-9050

HOWARD L. ALDERMAN, JR.

2 HOPKINS PLAZA

Arnold Jablon, Director Office of Zoning Administration and Development Management 111 West Chesapeake Avenue Room 109

Towson, MD 21204 RE: Beltway Mobile Home Park Case No. 93-445-SPHA Present Hearing Date: July 19, 1993

ZONING COMMISSIONER Request for Continuance

I represent the owners of the Beltway Mobile Home Park which property is the subject of the above-referenced hearing. I have spoken recently with Ms. Theresa Lowry, a well respected advocate of the community in which this property is located, and have met on-site with Mr. Edward Hastry to discuss the existing and proposed conditions.

LAW OFFICES

A PROFESSIONAL ASSOCIATION

305 W. CHESAPPAKE AVENUE

TOWSON, MARYLAND 21204

TELECOPIER /410 296-2801

July 9 1993

LEVIN & GANN

After consultation with these community members and my clients, I believe that a continuance of the above-scheduled hearing is in order. My clients propose to modify the plan which accompanied their original Petition to show how they intend orient mobile homes in the eastern most portion of the site. The plan will be modified further to label those structures, most of which are temporary in nature, which exist on the site but which were not included on the plan.

On Thursday, July 8, 1993, I discussed this continuance with Ms. Lowry and she indicated no objection. I believe that the requested continuance will enable an open dialogue with community members where complete information can be displayed and discussed.

I would request that your office consult with me prior to the rescheduling of this hearing. I will be out of the state during a portion of August and I am scheduled to appear before the Maryland Court of Special Appeals in September on two separate occasions.

Care No. 153

Case no 70-61-24

Case # 70-61-XA

Case no 81-121-x

Case #81-121-X



